UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/C.3/53/L.58/Rev.1
23 November 1998

ORIGINAL: ENGLISH

Fifty-third session
THIRD COMMITTEE
Agenda item 110 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

South Africa* and China: revised draft resolution

Right to development

The General Assembly,

Recalling all its previous resolutions and those of the Commission on Human Rights relating to the right to development,

Emphasizing that the promotion, protection and realization of the right to development are an integral part of the promotion and protection of all human rights at the national and international levels,

Noting that the human person is the central subject of development and that development policy should therefore make the human being the main participant and beneficiary of development,

Stressing the importance of creating an economic, political, social, cultural and legal environment that will enable people to achieve social development at the national and international levels,

Further recalling that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and

---

* On behalf of States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Expressing its concern that, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights,[1] the unacceptable situation of absolute poverty, hunger, disease, lack of adequate shelter, illiteracy and hopelessness remains the lot of over one billion people,

Reaffirming the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Mindful that the Commission on Human Rights continues to consider this matter and, by its resolution 1998/72,[2] established a follow-up mechanism, initially for a period of three years,

Noting the need for coordination and cooperation throughout the United Nations system for more effective promotion and realization of the right to development,

Recognizing that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including through enhanced cooperation with the relevant bodies of the United Nations system for this purpose,

Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing that the implementation of the Declaration on the Right to Development[3] requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

Emphasizing that full respect for all human rights and the fundamental freedoms is necessary for lasting progress towards the realization of the right to development,

Reaffirming the need for action by all States at the national and international levels for the realization of all human rights and the need for relevant evaluation mechanisms to ensure the promotion of the Declaration on the Right to Development,

---

[1] Resolution 217 A (III).

[2] See Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23-E/CN.4/1998/177), chap. II, sect. A.

[3] Resolution 41/128, annex.

Expressing its concern that, more than ten years after the adoption of the Declaration on the Right to Development, and while noting that new challenges and opportunities for development have emerged in an increasingly globalized world, obstacles to the realization of the right to development still persist at both the national and international levels, that new obstacles to the rights stated therein have emerged, and that the progress made in removing these obstacles remains precarious,

Expressing also its concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Having considered the report by the Secretary-General on the right to development[4] prepared pursuant to General Assembly resolution 52/136,

1. Takes note of the report of the Secretary General;[4]

2. Reaffirms the importance of the right to development, as established in the Declaration on the Right to Development,[3] and reaffirmed in the Vienna Declaration and Programme of Action,[5] for every human person and for all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

3. Recognizes that the Declaration on the Right to Development constitutes an integral link between the Universal Declaration of Human Rights[1] and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[5] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

4. Reiterates the importance of the Vienna Declaration and Programme for Action, which reaffirms the right to development, as established by the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights;

5. Reaffirms that democracy, development and respect for all human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing and, in this context, affirms that:

(a) Development experiences of countries reflect differences with regard to both progress and setbacks, and that the development spectrum has a wide range, not only between countries but also within countries;

---

[4] A/53/268.

[5] A/CONF.157/24 (Part I), chap. III.

(b) A number of developing countries have experienced rapid economic growth and remain dynamic partners in the international community;

(c) The gap between developed and developing countries remains unacceptably wide and developing countries continue to face difficulties in participating in the globalization process and may risk being marginalized and effectively excluded from its benefits;

(d) Democracy, which is spreading everywhere, has raised development expectations everywhere, that their non-fulfilment risks the rekindling of non-democratic forces and that structural reforms that do not take social realities into account could destabilize the processes of democratization;

(e) Effective popular participation is an essential component of successful and lasting development;

(f) Democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social- and people-centred sustainable development;

(g) The participation of developing countries in the international economic decision-making process needs to be broadened and strengthened;

6. Reaffirms also that democracy, development and respect for all human rights and fundamental freedoms would be strengthened by enhanced international cooperation, in particular, for development;

7. Urges all States to eliminate all obstacles to development at all levels by pursuing the promotion and protection of economic, social, cultural, civil and political rights and by implementing comprehensive development programmes at the national level, integrating these rights into development activities and by promoting effective international cooperation;

8. Reiterates that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

9. Invites the High Commissioner for Human Rights to pay particular attention to the impact of the problem of the debt burden on developing countries and their people, in particular the least developed countries, on their full enjoyment of the right to development;

10. Expresses deep concern about the overall decline in official development assistance flows, and calls upon the developed countries, in a spirit of partnership, to mobilize further resources for development assistance to support States' efforts towards the realization of the right to development with a view to fulfilling as soon as possible the commitments undertaken to meet the agreed United Nations targets;

11. Affirms the need to apply a gender perspective in the implementation of the right to development, inter alia, by ensuring that women play an active role in the development process, and emphasizes that the empowerment of women and their full participation on a basis of equality in all spheres of society is fundamental for development;

12. Expresses concern on the adverse impact of the current financial crisis on the realization of the right to development and the full enjoyment of economic, social and cultural rights in affected countries, especially on the right to food, health, education and work;

13. Affirms that international cooperation is acknowledged more than ever as a necessity deriving from recognized mutual interest, and therefore that such cooperation be strengthened in order to support the efforts of developing countries to solve their social and economic problems and to fulfil their obligations to promote and protect all human rights;

14. Welcomes the intention of the Secretary-General to give high priority to the right to development and urges all States to promote further the right to development as a vital element in a balanced human rights programme;

15. Welcomes the efforts made by the High Commissioner for Human Rights towards the promotion and realization of the right to development, and invites her to explore further ways and means to achieve this objective;

16. Requests the Secretary-General to continue to inform the Commission on Human Rights and the General Assembly of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

17. Welcomes the establishment of a follow-up mechanism, initially for a three-year period, in accordance with Commission on Human Rights resolution 1998/72, consisting of an open-ended working group of the Commission and an independent expert, in order to make further progress towards the realization of the right to development;

18. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation;

19. Recognizes that the fiftieth anniversary of the Universal Declaration of Human Rights provides an important opportunity to place all human rights - and, in this context, the right to development in particular - at the top of the human rights agenda;

20. Calls upon the Secretary-General and the High Commissioner for Human Rights, as appropriate, to:

(a) Examine ways and means to provide the Declaration on the Right to Development with a profile commensurate with its importance;

(b) Continue to accord priority to the right to development and providing commensurate support in terms of staff, services and resources for its programmatic follow-up;

(c) Ensure widespread dissemination and promotion of the Declaration on the Right to Development, in close cooperation with States and intergovernmental organizations, national institutions, academia and interested non-governmental organizations worldwide, through freely available booklets and publications, in a similar way to the Universal Declaration of Human Rights, workshops and seminars;

(d) Project the role and importance of the right to development as part of the overall promotion and protection of human rights;

(e) Consult regularly on a formal and informal basis with all States on the follow-up to the Declaration on the Right to Development;

(f) Welcome initiative to organize regional seminars which should focus on all aspects of the realization of the right to development;

(g) Undertake a dialogue with the World Bank with regard to the right to development, including initiatives, policies, programmes and activities that can promote the right to development, and to inform Member States on a regular basis of the progress made in such a dialogue;

(h) Invite the Independent Expert, appointed by the Chairman of the Commission on Human Rights, to include in his study on the current state of progress in the implementation of the right to development an analysis of the legal bases of the right to development, in particular, its international dimension;

(i) Involve relevant entities of the United Nations, including those contributing to the Executive Committee of Economic and Social Affairs, to promote and advocate the right to development and its realization, especially at the international level;

(j) Invite the follow-up mechanism, inter alia, to consider the question of elaborating a convention on the right to development;

21. Encourages all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, elements for the promotion and protection of the right to development;

22. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session;

23. Decides to consider this question at its fifty-fourth session under the sub-item entitled "Human rights questions, including alternative approaches to improving the effective enjoyment of human rights and fundamental freedoms".